

REMARKS

Claims 3, 15, 28, 40, 101, 102, 104, 105, 118-120 and 122 have been amended. Claims 1-3, 9, 15-25, 28, 33-36, 38, 40, 101-108, 111-113, 115, 118-120, 122, 151-154 and 159-162 are pending in the application. Applicants reserve the right to pursue the original claims in this and in any other application.

Claims 3, 15, 28, 40, 101, 102, 104, 105, 118 and 122 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3, 15, 28, 40, 101, 102, 104, 105, 118 and 122 have been amended as suggested in the Office Action to address this issue. As a result, the rejection should be withdrawn.

Claims 1-3, 28, 35, 101-104 and 120 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,651,139 (Ozeki) in view of U.S. Patent No. 6,651,139 (Fan). Applicants respectfully traverse the rejection.

Claim 1 recites, *inter alia*, “a wave length detector for detecting a wave length of optical signals sent from the controller-side electro-optical converter” to the memory side and “supplying the wave length to the memory controller; and a wave length adjuster for adjusting the wave length of the optical signals based upon the wave length.” The Ozeki/Fan combination does not render obvious these limitations. The Office Action concedes that Ozeki does not teach these limitations and contends that Fan cures these deficiencies of Ozeki by teaching “a wavelength control circuit 8 for detecting the wavelength information from controller 6 and for adjusting the wavelength based upon the wavelength information.” Office Action, p. 3. First, even if the Office Action’s assertion regarding the teaching of Fan is accurate, such a teaching does not cure the deficiencies of Ozeki because claim 1 does not recite “detecting wavelength *information*,” but recites “detecting a wavelength.” Second, Applicants respectfully assert that Fan does not teach “detecting a

wavelength” as recited in claim 1 and does not, therefore, cure the deficiencies of Ozeki. At best, Fan teaches

a media access controller 6 for controlling the polarization and wavelength characteristics of the laser light beam used during information reading operations; a plurality of laser sources (e.g. laser diodes) 7 for producing a plurality of different laser lines (i.e. spectral components) having characteristic wavelengths $\lambda_1, \dots, \lambda_N$, respectively, at which peak spectral output occur laser source control[; and] mechanism 8 for selecting and controlling one or more of the plurality of laser sources in order to produce a composite laser beam with preselected polarization and wavelength characteristics.

Fan, col. 10, lines 20-30. Fan, therefore, merely teaches that a plurality of wavelengths are produced by laser sources 7, that the media access controller 6 controls the wavelength characteristics during an information reading operation, that mechanism 8 selects/controls the laser beam that is produced, and that this laser beam has preselected wavelength characteristics. Fan does not teach that the wavelength of any of these laser sources are detected, only that the wavelength characteristics are “controlled” by controller 6. Fan, therefore, does not cure the Office Action conceded deficiencies of Ozeki, and the Ozeki/Fan combination does not render obvious claim 1.

Claim 101 contains limitations similar to those discussed above with respect to claim 1 and is patentable over the Ozeki/Fan combination for at least the reasons set forth above with respect to claim 1. Claims 2, 3, 28 and 35 depend from claim 1. Claims 102-104 and 120 depend from claim 101. Accordingly, the rejection should be withdrawn and the claims allowed.

In addition, the Ozeki/Fan combination does not render obvious the claims because Fan is nonanalogous art under M.P.E.P. § 2141.01(a). The claimed invention is directed to a memory system having a bi-directional optical link for transmitting data between a controller and a memory storage device. Fan, in contrast, is directed to “optical storage discs” (Fan, col. 15, lines 23-25) which purport to be an improvement upon CD-ROM discs. Fan, col. 1, line 24 to col. 2, line 18. Applicants, therefore, contend that Fan would not have “logically commended itself to an inventor’s

attention in considering his or her invention as a whole,” as required by M.P.E.P. § 2141.01(a). For this reason as well, the rejection should be withdrawn.

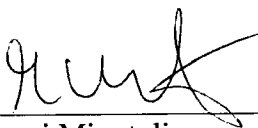
Claims 24, 25, 33, 34, 36, 38, 40, 105-107, 115, 118, 119, 122, 151 and 159 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozeki in view of Fan and U.S. Patent No. 5,544,319 (Acton). Applicants respectfully traverse the rejection. Claims 24, 25, 33, 34, 36, 38, 40 and 151 depend from claim 1 and are patentable over the Ozeki/Fan combination for at least the reasons set forth above with respect to claim 1. In addition, claims 106, 107, 115, 118, 119, 122, and 159 depend from claim 101 and are patentable over the Ozeki/Fan combination for at least the reasons set forth above with respect to claim 101. Acton, cited as teaching command data and a clock signal, does not cure the deficiencies of the Ozeki/Fan combination. Accordingly, the rejection should be withdrawn and the claims allowed.

Claims 9, 15-23, 108, 111-113, 152-154 and 160-163 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozeki in view of Fan, Acton and U.S. Patent No. 6,658, 210 (Fee). Applicants respectfully traverse the rejection. Claims 9, 15-23 and 152-154 depend from claim 1 and are patentable over the Ozeki/Fan combination for at least the reasons set forth above with respect to claim 1. In addition, claims 108, 111-113, and 160-162 depend from claim 101 and are patentable over the Ozeki/Fan combination for at least the reasons set forth above with respect to claim 101. Neither Acton, cited as teaching command data and a clock signal, nor Fee, cited as teaching multiplexed optical channels, cure the deficiencies of the Ozeki/Fan combination. Claim 163 was canceled in an Amendment filed on April 22, 2009. Accordingly, the rejection should be withdrawn and the claims allowed.

In view of the above, Applicants believe the pending application is in condition for allowance.

Dated: April 1, 2010

Respectfully submitted,

By 

Gianni Minutoli

Registration No.: 41,198
DICKSTEIN SHAPIRO LLP
1825 Eye Street, NW
Washington, DC 20006-5403
(202) 420-2200
Attorney for Applicants